

REMARKS

This Amendment responds to the Office Action dated January 27, 2005.

The previous amendment inadvertently failed to amend independent claim 18 by adding the limitation of "a frame packetizer to copy said data to a DIF data block of a digital video frame not including the first byte of said data block." The present amendment adds this limitation to claim 18, and therefore its dependent claim 19, as well.

The Examiner rejected claims 1, 2, and 4 under 35 U.S.C. §103(a) as being obvious in view of the combination of Inoue et al., U.S. Patent No. 5,832,085 (hereinafter Inoue) and Okuyama et al., U.S. Patent No. 5,987,126 (hereinafter Okuyama). The Examiner rejected claims 5-15 under 35 U.S.C. §103(a) as being obvious in view of the combination of Inoue, Okuyama, and Oskouy et al., U.S. Patent No. 6,791,947 (hereinafter Oskouy). The Examiner rejected claims 16-17 under 35 U.S.C. §103(a) as being obvious in view of the combination of Inoue, Okuyama, and Yanagihara et al., U.S. Patent No. 5,684,917.

Inoue discloses a digital recording method in which video input of various formats may be recorded as MPEG video by a video recorder. In the relevant instance where the video input is already formatted as MPEG video, Inoue discloses that the video recorder may create trick play segments to be processed and stored separately from the recorded MPEG input stream. The Examiner notes that when processing the MPEG data to record trick play segments, the recorder in Inoue stores MPEG packets into blocks of data. The blocks used in Inoue's method, however, are blocks formatted in accordance with the MPEG specification. Furthermore, the applicant notes that Inoue states unequivocally that the purpose of the disclosed invention is to record video data in a single format. *See* Inoue at Abstract and at col. 3 lines 26-29. Therefore, no combination involving Inoue would include the feature of inserting MPEG data (in an MPEG format) into a DIF block (which is a DV format) and storing the DIF block that then contains MPEG data.

Okuyama discloses an apparatus intended to preserve copy protection data encoded in the format of a player device, such as a cassette player or set top box when converting to the format

of a storage or recording device. When describing this apparatus, Okuyama notes the variety of types of input devices having different output formats, such as a VCR recorded in a standard definition DV format or a DVD player or set top box that outputs MPEG formatted data in either standard or high definition. Okuyama discloses an IEEE interface capable of transporting data from any of these formats into the recording device where it is converted to the appropriate recording format. Copy protection is preserved by reading the copy protection data in whatever format it happens to be output from the player device, converting the copy protection data to the format of the storage device and inserting it into the data stream of the storage device after the remainder of the input data has been converted to the format of the storage device.

The Examiner seems to indicate that the combination of Inoue and Okuyama would include MPEG data stored in a DIF block. The applicant respectfully suggests that the Examiner is incorrect. To the contrary, the portions of Okuyama cited by the Examiner indicate that MPEG data and DV data, while transported in the same IEEE 1394 stream to the recording device, are processed separately and at no point is any MPEG data inserted into a DIF block. For example, at col. 12 line 41 to col. 13 line 41 Okuyama discloses a player device (shown as element 21 in FIG. 4) comprising a VCR that outputs data in a DV format having DIF blocks. After detecting any copy flag information in the DV data and storing the data in an IEEE 1394 stream, the data is forwarded to a recording device 23 for converting to the format of the recording device. At no point does Okuyama disclose that the DIF blocks include MPEG data, nor would one reasonably skilled in the art expect them to.

Conversely, Okuyama discloses at col. 13 line 42 to col. 14 line 6 that a player device such as a set top box (shown as element 22 in FIG. 4) may output data in MPEG format that, like the DV data of the VCR, is stored in an IEEE 1394 stream after detection of any copy protection and forwarded to the recorder for any necessary conversion. However, none of the MPEG data is ever inserted into a DIF block. In fact, if there were no DV input device connected to the system, there would be no DIF block within which the MPEG data could be inserted.

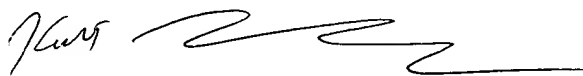
Each of independent claims 1, 5, 10, 13, and 15-18 include the limitation that MPEG transport stream data is stored in a DIF data block formatted for digital video.

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Accordingly, each of claims 1-19 is patentably distinguished over the prior art cited by the Examiner, because neither cited reference discloses this limitation and because Inoue actually teaches away from this limitation by insisting that data be recorded in a single format.

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 1-19.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kurt Rohlf', is written over a horizontal line.

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